

MITCHELL v. MINNESOTA LIFE, ET AL.
ACTION NO. C07-05722 EMC ADR

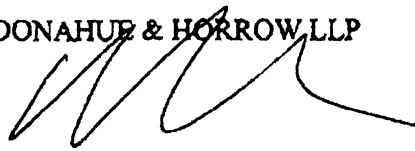
DEFENDANT STANDARD INSURANCE COMPANY'S
NOTICE OF REMOVAL

EXHIBIT D

2. For costs of suit incurred herein; and,
3. For such other and further relief as the Court deems just and proper.

DATED: September 25, 2007

DONAHUE & HORROW LLP



MICHAEL B. HORROW
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury.

DATED: September 25, 2007

DONAHUE & HORROW LLP



MICHAEL B. HORROW
Attorneys for Plaintiff

D-89

6057180

ATTORNEY OR PARTY WITHOUT ATTORNEY MICHAEL HORROW SBN 162917 DONAHUE & HORROW, LLP 222 NO. SEPULVEDA BLVD. 20TH FLOOR EL SEGUNDO CA 90245 310-335-2006 ATTORNEY FOR Plaintiff		FILED ALAMEDA COUNTY 2007 NOV -7 PM 12:42 CLERK OF THE SUPERIOR COURT BY <i>[Signature]</i> DEPUTY	POS-010 FOR COURT USE ONLY
Alameda Pleasanton 5672 Stoneridge Dr Pleasanton CA 94588			
PLAINTIFF/PETITIONER: Randy R. Mitchell D.D.S. DEFENDANT/RESPONDENT: Minnesota Life et al.		CASE NUMBER: VC07348221	
PROOF OF SERVICE OF SUMMONS		Ref No. or File No.: 1062-001	

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the:

CIVIL CASE COVER SHEET
 COMPLAINT
 SUMMONS

3a. Party served:

STANDARD INSURANCE COMPANY,
 BY SERVING CHARLOTTE RIDDLE, AGENT FOR SERVICE

4. Address where party was served:

15260 VENTURA BLVD
 SUITE 825
 SHERMAN OAKS CA 91403

5. I served the party

b. By substituted service. On: 10/15/07 at 11:30AM I left the documents listed in item 2 with or in the presence of:

JEANNE LEE

SECRETARY

(1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(4) I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left

BY FAX

CONTINUED ON THE NEXT PAGE

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PLAINTIFF/PETITIONER:	Randy R. Mitchell D.D.S.	CASE NUMBER:	
DEFENDANT/RESPONDENT:	Minnesota Life et al.	VC07348221	...

(Code Civ. Proc., Section 415.20). I mailed the documents on

A DECLARATION OF MAILING IS ATTACHED.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

d. On behalf of:

STANDARD INSURANCE COMPANY,
BY SERVING CHARLOTTE RIDDLE, AGENT FOR SERVICE

under the following Code of Civil Procedure section:

416.10 (corporation)

7. Person who served papers

a. Name: HECTOR MACALE

b. Address: 1199 MONTEREY PASS ROAD MONTEREY PARK, CA 91754

c. Telephone Number: 323-526-7300

d. The fee for service was: \$59.50

e. I am:

(3) ☒ registered California process server:

(i) ☒ Employee

(ii) Registration No.: 5180 Expires: 04/12/09

(iii) County: LOS ANGELES

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

10/16/07

HECTOR MACALE

RAPID LEGAL, LOS ANGELES CO. REG # 1107, EXPIRES 02-14-09

Form Adopted for Mandatory Use
Judicial Council of California PDS-010
[Rev. January 1, 2007]

PROOF OF SERVICE OF SUMMONS

Code of Civil Procedure, § 417.10

Invoice No.: 574316

D-91

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address)		TELEPHONE NUMBER	FOR COURT USE ONLY
MICHAEL HORROW SBN 162917			
DONAHUE & HORROW, LLP		310-335-2006	
222 NO. SEPULVEDA BLVD.			
20TH FLOOR		Ref. No. or File No.	
EL SEGUNDO CA 90245		1062-001	
ATTORNEY FOR Plaintiff			
Insert name of court and name of judicial district and branch if any.			
Alameda Pleasanton			
5672 Stoneridge Dr Pleasanton CA 94588			
SHORT TITLE OF CASE:			
Randy R. Mitchell D.D.S. v Minnesota Life et al.			
INVOICE NO.	DATE:	TIME:	DEF./DIV.
574316			
			CASE NUMBER:
			VC07348221

PROOF OF SERVICE BY MAIL

I AM A CITIZEN OF THE UNITED STATES AND EMPLOYED IN THE COUNTY OF LOS ANGELES STATE OF CALIFORNIA. I AM AND WAS ON THE DATES HEREIN MENTIONED, OVER THE AGE OF EIGHTEEN YEARS AND NOT A PARTY TO THE ACTION. ON 10/16/07 AFTER SUBSTITUTED SERVICE UNDER SECTION 415.20(a) OR 415.20(b)

C.C.P., WAS MADE, I SERVED THE WITHIN:

CIVIL CASE COVER SHEET
COMPLAINT
SUMMONS

ON THE DEFENDANT, IN SAID ACTION BY PLACING A TRUE COPY THEREOF ENCLOSED IN A SEALED ENVELOPE WITH POSTAGE THEREON PRE-PAID FOR FIRST CLASS IN THE UNITED STATES MAIL AT: MONTEREY PARK, CALIFORNIA, ADDRESSED AS FOLLOWS:

STANDARD INSURANCE COMPANY,
BY SERVING CHARLOTTE RIDDLE, AGENT FOR SERVICE

15260 VENTURA BLVD
SUITE 825
SHERMAN OAKS CA 91403

DECLARANT: TERESA GUARDADO

RAPID LEGAL
1199 MONTEREY PASS ROAD
MONTEREY PARK, CA 91754
323-526-7300 FAX 323-526-7377

- d. Registered California process server
- (1) ☐ Employee or ☒ Independent Contractor
 - (2) Registration No. 5612
 - (3) County: LOS ANGELES
 - (4) Expiration: 02/05/08

I declare under penalty of perjury, under the laws of the state of California that the foregoing is true and correct.

DATE: 10/16/07

SIGNATURE

D-92

POS-010

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY MICHAEL HORROW SBN 162917 DONAHUE & HORROW, LLP 222 NO. SEPULVEDA BLVD. 20TH FLOOR EL SEGUNDO CA 90245 310-335-2006 ATTORNEY FOR Plaintiff</p>	<p>FOR COURT USE ONLY</p> <p>FILED ALAMEDA COUNTY</p> <p>OCT 26 2007</p> <p>CLERK OF THE SUPERIOR COURT By <u>Susan Erickson</u> Deputy</p>
<p>Alameda Pleasanton 5672 Stoneridge Dr Pleasanton CA 94588</p>	<p>CASE NUMBER: VG07348221</p>
<p>PLAINTIFF/PETITIONER: Randy R. Mitchell D.D.S. DEFENDANT/RESPONDENT: Minnesota Life et al.</p>	<p>Ref No. or File No.: 1062-001</p>
<p>PROOF OF SERVICE OF SUMMONS</p>	

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of the:

summons and complaint
 civil case cover sheet

3a. Party served:

MINNESOTA LIFE INSURANCE
 COMPANY

3b. Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made)

TYNESHA WOOLFORK
 AUTHORIZED AGENT FOR SERVICE

4. Address where party was served:

818 WEST 7TH STREET
 # 200
 LOS ANGELES CA 90017

5. I served the party

a. By personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive process for the party

(1) on: 10/24/07 (2) at: 1:20PM

6. The "Notice to the Person Served" (on the summons) was completed as follows:

BY FAX

CONTINUED ON THE NEXT PAGE

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PLAINTIFF/PETITIONER:	Randy R. Mitchell D.D.S.	CASE NUMBER:
DEFENDANT/RESPONDENT:	Minnesota Life et al.	VG07348221

d. on behalf of:

MINNESOTA LIFE INSURANCE
COMPANY

under the following Code of Civil Procedure section:

416.10 (corporation)

7. Person who served papers
- a. Name: JACK TINOCO
 - b. Address: 1199 MONTEREY PASS RD MONTEREY PARK, CA 91754
 - c. Telephone Number: 323-526-7300
 - d. The fee for service was: \$59.50
 - e. I am:
 - (3) ☒ registered California process server:
 - (i) ☒ Employee
 - (ii) Registration No.: 3107 Expires: 02/27/09
 - (iii) County: LOS ANGELES
8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

10/25/07

JACK TINOCO

RAPID LEGAL, LOS ANGELES CO. REG # 1107, EXPIRES 2-14-07

Form Adopted for Mandatory Use
Judicial Council of California PCS-010
[Rev. January 1, 2007]

PROOF OF SERVICE OF SUMMONS

Code of Civil Procedure, § 417.10

Invoice No.: 581099

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Image Viewer


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Superior Court of California County of Alameda



Notice of Judicial Assignment for All Purposes

Case Number: VG07348221
Case Title: Mitchell VS Minnesota Life Insurance Company
Date of Filing: 09/26/2007

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

This case is hereby assigned for all purposes to:

Judge: David Hunter
Department: 520
Address: Hayward Hall of Justice
24405 Amador Street
Hayward CA 94544
Phone Number: (510) 690-2729
Fax Number: (510) 267-1531
Email Address: Dept.520@alameda.courts.ca.gov

Under direct calendaring, this case is assigned to a single judge for all purposes including trial.

Please note: In this case, any challenge pursuant to Code of Civil Procedure §170.6 must be exercised within the time period provided by law. (See Govt. Code 68016(i); Motion Picture and Television Fund Hosp. v. Superior Court (2001) 88 Cal.App.4th 488, 494; and Code Civ. Proc. §1013.)

IT IS THE DUTY OF EACH PLAINTIFF AND CROSS COMPLAINANT TO SERVE A COPY OF THIS NOTICE IN ACCORDANCE WITH LOCAL RULES.

General Procedures

All pleadings and other documents must be filed in the clerk's office at any court location except when the Court permits the lodging of material directly in the assigned department. All documents, with the exception of the original summons and the original civil complaint, shall have clearly typed on the face page of each document, under the case number, the following:

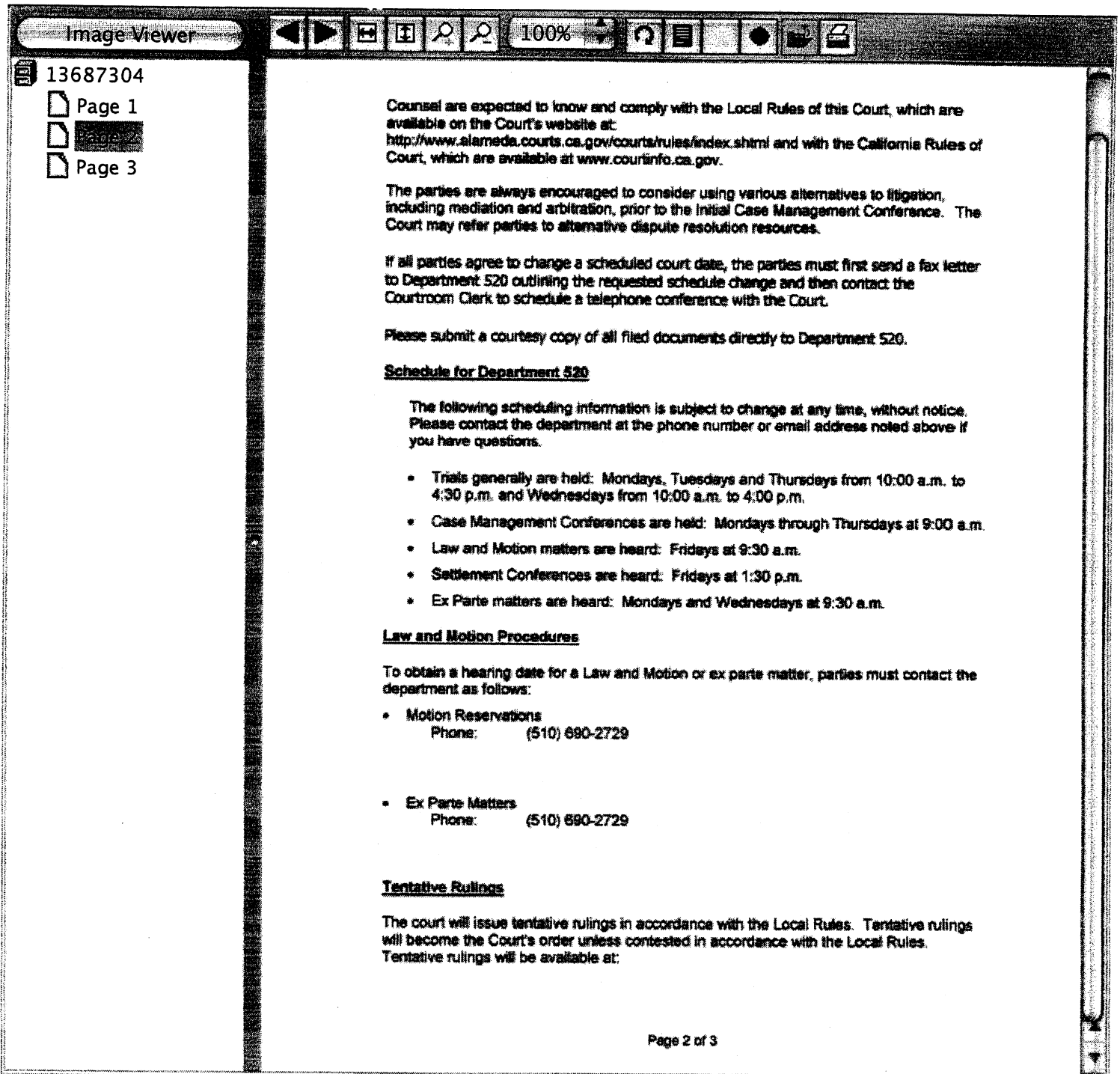
ASSIGNED FOR ALL PURPOSES TO
JUDGE David Hunter
DEPARTMENT 520

Page 1 of 3

Notice of Judicial Assignment for All Purposes Issued

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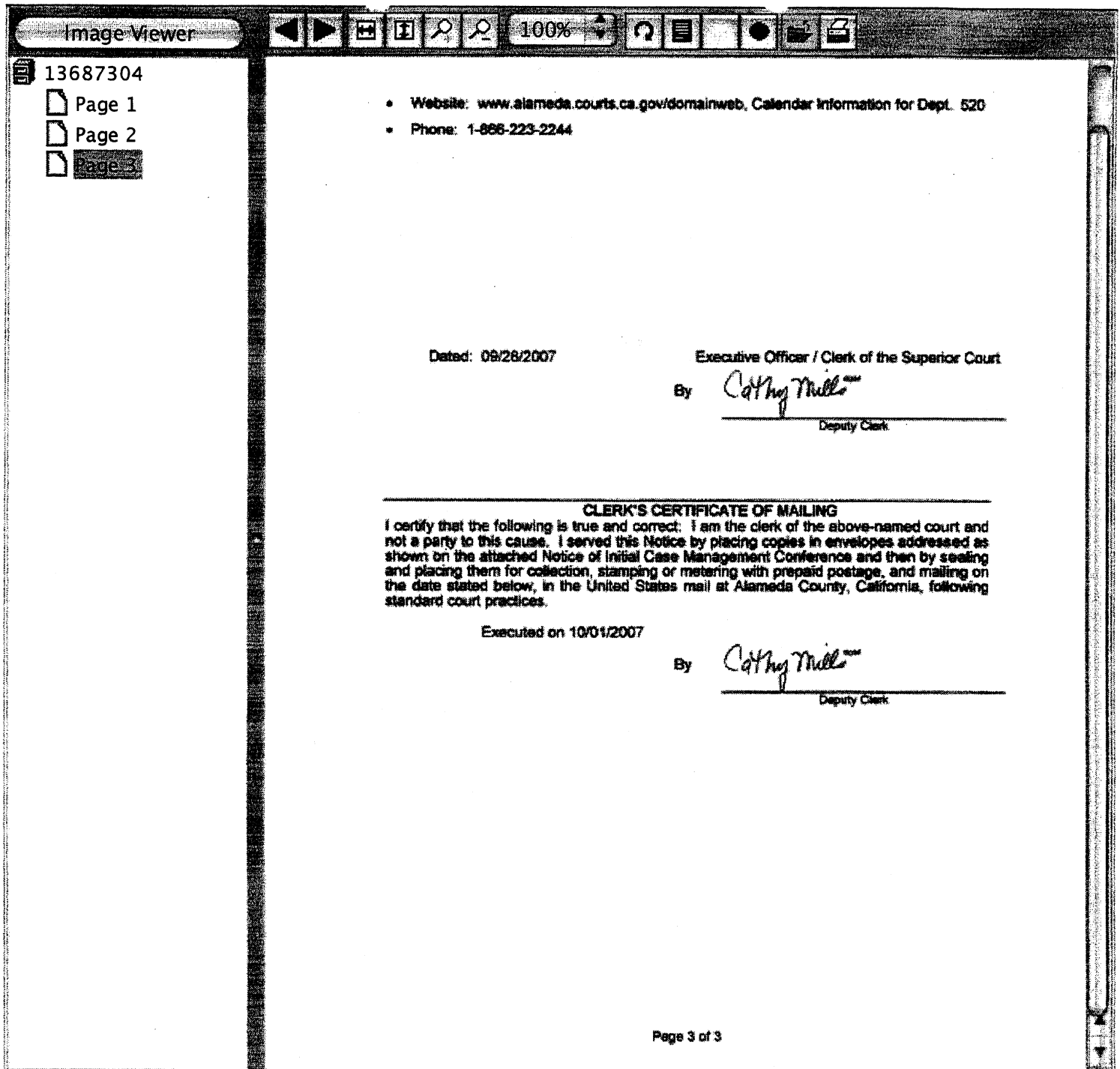
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Notice of Judicial Assignment for All Purposes Issued

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D-96



Notice of Judicial Assignment for All Purposes Issued

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Donahue & Horrow LLP
Attn: Horrow, Michael B.
222 North Sepulveda Blvd.
20th Flr.
El Segundo, CA 90245

Superior Court of California, County of Alameda

Mitchell
vs.
Minnesota Life Insurance Company
(Abbreviated Title)

No. VQ07348221
NOTICE OF CASE MANAGEMENT
CONFERENCE AND ORDER
Unlimited Jurisdiction

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD.
Notice is given that a Case Management Conference has been scheduled as follows:

Date: 02/11/2008 Time: 09:00 AM	Department: 520 Location: Hayward Hall of Justice 3rd Floor 24405 Amador Street, Hayward CA 94544 Internet: http://www.alameda.courts.ca.gov	Judge: David Hunter Clerk: Lindsett Williams Clerk telephone: (510) 690-2729 E-mail: Dept.520@alameda.courts.ca.gov Fax: (510) 267-1531
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ORDERS

- You must:
 - Serve all named defendants and file proofs of service on those defendants with the court within 60 days of the filing of the complaint (CRC 3.110(b)).
 - Give notice of this conference to any party not included in this notice and file proof of service.
 - Meet and confer, in person or by telephone, to consider each of the issues identified in CRC 3.724 no later than 30 calendar days before the date set for the Case Management Conference.
 - File and serve a completed Case Management Conference Statement (use of Judicial Council Form CM 110 is mandatory) at least 15 days before the Case Management Conference (CRC 3.725).
- If you do not follow the orders above, you are hereby ordered to show cause why you should not be sanctioned under CRC 2.30. The hearing on the Order to Show Cause re: Sanctions will be at the same time as the Case Management Conference. Sanctions may include monetary sanctions and any other sanction permitted by law, including striking pleadings or dismissing the action.
- You are further ordered to appear in person* (or through your attorney of record) at the Case Management Conference noticed above. You must be thoroughly familiar with the case and fully authorized to proceed.
- The Direct Calendar Judge will issue orders at the conclusion of the conference that should include:
 - Referring to ADR and setting an ADR completion date
 - Dismissing or severing claims or parties
 - Setting a trial date.

*Telephonic appearances at Case Management Conferences may be available by contacting CourtCall, an independent vendor, at least 3 business days prior to the scheduled conference. Parties may make arrangements by calling 1-888-882-6878, or faxing a service request to 1-888-882-2946. This service is subject to charges by the vendor.

CLERK'S CERTIFICATE OF MAILING

I certify that the following is true and correct: I am the clerk of the above-named court and not a party to this cause. I served this Notice of Hearing by placing copies in envelopes addressed as shown herein and then by sealing and placing them for collection, stamping or marking with prepaid postage, and mailing on the date stated below, in the United States mail at Alameda County, California, following standard court practices.

Executed on 10/01/2007.

By Cathy Miller
Deputy Clerk

Initial Case Management Conference 02/11/2008 09:00 AM D- 520

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